

TERM OF COMMISSION: June Session of the April Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Joshua Norberg

The meeting was called to order at 1:30 p.m.

Commissioner Elkin served as Acting Presiding Commissioner in Commissioner Pearson’s absence.

Purchasing

Tyson Boldan, Purchasing, was present on behalf of these items.

1. Bid Opening: 32-25JUN09 – Kendallwood Drive Entrance Repairs

The following bids were opened:

	Wales Contracting	Boone Counstruction	Plan B Development	StockMan Construction
Bid Total	\$78,065.00	\$81,896.00	\$62,180.00	\$52,806.00

	Mera Excavating	Lehman Construction	Steve and Associates	Streck Construction	Concrete Engineering
Bid Total	\$61,008.78	\$82,375.00	\$54,994.60	\$52,815.80	\$68,585.00

The Engineer’s Estimate was \$62,607.00.

2. Bid Opening: 31-25JUN09 – Country Hill Subdivision Storm Sewer Improvements

The following bids were opened:

	StockMan Construction	Capital Railroad Contracting	Weeco	Lehman Construction	Wilcoxson Construction
Bid Total	\$176,800.00	\$243,500.00	\$191,633.00	\$278,045.00	\$182,683.10

	Steve and Associates	Ed Laubinger Excavating	Emery Sapp & Sons	Glove/Con, Inc.	Rohrer Excavating	C.L. Richardson
Bid Total	\$201,819.40	\$188,704.00	\$231,268.11	\$234,408.00	\$223,849.00	\$234,715.10

The Engineer's Estimate was \$197,997.62.

3. Bid Opening: 35-25JUN09 – Juvenile Justice Center Parking Lot Reconstruction

The following bids were opened:

	Steve and Associates	Boone Construction	Plan B Development	Streck Construction	Glove/Con, Inc.
Bid Total	\$156,994.67	\$228,860.10	\$185,316.38	\$182,002.93	\$160,157.00

	Emery Sapp & Sons	StockMan Construction	Lehman Construction	Rhad Baker Construction	C.L. Richardson
Bid Total	\$218,048.15	\$179,169.40	\$233,518.00	\$165,369.71	\$186,817.15

	Sircal Contracting	Five Oaks Associates	Concrete Engineering
Bid Total	\$206,506.25	\$259,765.63	\$236,960.00

The Engineer's Estimate was \$203,000.00

4. 29-28APR09 – Automotive Parts and Accessories Term and Supply (first reading)

Mr. Boldan stated the bid for Automotive Parts and Accessories Term and Supply closed on April 28, 2009. Item types were divided by low bid between the three bids received. Purchasing and the Public Works Department recommend a multi-vendor award to New Haven Filter Co., Factory Motor Parts, and O'Reilly Automotive Inc.

This is a term and supply contract and invoices will be paid from Department 2040 – Public Works Maintenance Operations, Account 60200 – Equipment Repairs. \$390,000 is budgeted for this account.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

5. 21-13APR09 – Patrol Rifles (first reading)

Mr. Boldan stated the bid for Patrol Rifles and Accessories closed on April 13, 2009. Six bids were received. Purchasing and the Sheriff's Department recommend award to Express Police Supply for offering the lowest and best bid for Boone County.

Five new rifles as well as five tactical slings and five tactical magazines will be purchased for the Boone County Sheriff's Department on this contract. The cost for these items is \$4,567.50 and will be paid from Department 2901 – Sheriff's Operations LE Sales Tax, Account 91300 – Machinery and Equipment. \$5,290.00 was budgeted for this replacement.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

Prosecuting Attorney

Dan Knight, Prosecuting Attorney, and Bonnie Adkins were present on behalf of this item.

6. Recovery Act STOP Grant Application

Mr. Knight stated a couple months ago we found out about some funds that would be available through the 2009 Recovery STOP Violence Against Women Act. We applied for these funds so we could hire an assistant prosecutor along with an investigator. We requested \$235,881, and we just found out that the amount we have been granted is \$224,715, which is a shortage of \$11,165. These positions are for a 22 month time period. He stated we can forgo a couple of items so we can cut those costs by around \$800. Our shortfall would be around \$10,335, so we are requesting to apply for \$5,167.50 per year to cover those costs. It will definitely enhance our ability to serve victims of crime.

Commissioner Miller stated this is only funded for two years; it is not a long term fix.

Mr. Knight stated they will make it very clear in the posting that these will be temporary positions, and it will also be made clear in the interview process.

Commissioner Elkin stated hopefully there will be more grant money in 22 months.

Mr. Knight stated he would like to thank Bonnie Adkins, Mark Koch and Joyce Thomasson for working very hard for putting this grant paperwork together. He stated he thinks that is part of the reason we were selected because we expressed our needs very well in the application process, so they deserve all the credit for this.

Commissioner Elkin stated he appreciates all their effort in securing these funds.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the Recovery Act STOP Grant Application.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 281-2009**

County Clerk

Wendy Noren, County Clerk, and Kay Murray, County Treasurer, were present on behalf of these items.

7. Agreement for Depository Services

Ms. Noren stated this is the same agreement that we had four years ago. The attached costs are a little different, as she mentioned in her presentation last week. The prepared order will adopt the agreement with the underlying proposal submitted by Landmark Bank, and authorizing the Presiding Commissioner to sign the agreement. She stated there will be a subsequent collateralization agreement

Commissioner Miller asked if Ms. Noren if she would like a second reading on this today since we already had the presentation.

Ms. Noren stated that would be fine if that is what the Commission wants to do.

Commissioner Miller stated she thinks it would be okay because we already had the presentation.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached Agreement for Depository Services between the County of Boone and Landmark Bank of Columbia for the period July 1, 2009 through June 30, 2011 with provisions for extension through June 30, 2013.

It is further ordered that the Presiding Commissioner is authorized to sign said agreement on behalf of the County and other the necessary documents required for implementation of the Agreement.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 282-2009**

8. Voluntary Payroll Deduction Policy

Ms. Noren stated she and Ms. Murray have talked about this several times over the last few years. We always get vendors who want us to allow them to solicit employees who want us to set up payroll deductions for various things. She stated she put a moratorium on anything until we got the payroll system written. She stated there are several vendors that she has put off for 2 ½ years and she doesn't think it is appropriate. She stated this is the system the State has. Basically, it requires an application process by the vendor the vendor has to pay an application fee, and then they have a 90 day period to get a certain number of people to sign up. In other words, you can't just get one employee. She stated part of the discussion was how many employees we would require them to get to sign up. They thought 5 would be too few and 20 would be a little

high, so they settled on 10 employees. She stated there is a per payroll fee the vendor would need to pay, which will cover the costs under our depository contract. She stated the vendor will have to submit the deduction in the format we want it because we don't want to have to be writing programs for every vendor that wants a deduction.

Commissioner Miller asked if the \$50 is the per payroll fee.

Ms. Noren stated the \$50 is the up front application fee. She stated we will do \$10 plus \$0.10/employee per payroll fee. She stated those biweekly fees can be waived if the deductions are covered under our cafeteria plan. In other words, if they are pre-tax deductions and there are enough employees, we could waive the per payroll fee. She stated they have to maintain a minimum of 10 employees. If it goes below 10, we will give them a certain period to bring it back up. She stated we also don't want vendors coming in and talking to employees on County time, so they are precluded from marketing on County time. They are allowed to use County facilities, and they need to go through the administrative authority if they want to do that. We will also allow them to come to our annual benefits meeting if they are cafeteria plan eligible. We will also include their marketing information in the new employee packet. In addition, the State gives them the name and home address of all County employees that have not opted out. She stated she will give employees an opportunity to opt out of that if they don't want to receive any of the information. We don't give employees' home addresses out to anybody under our current policy, but this would allow vendors that are approved to mail employees information if they have not opted out. They would not be allowed to contact the employee or go to their home without the employee's permission.

Commissioner Elkin asked if supplemental insurance would be covered under the cafeteria plan.

Ms. Noren stated some of it would be.

Commissioner Elkin stated asked if the County Clerk's Office will direct employees if they want payroll deductions.

Ms. Noren stated we will include the marketing information in the new employee packets.

Commissioner Miller asked if there is a cost to the employee if they want, for example, half of their check to go toward a house payment at a different bank than where the direct deposit goes.

Ms. Noren stated we are not in the business of doing internal accounting for employees. We are going to allow for multiple deposits when we go to the new system, but we are not going to get into paying people's bills.

Commissioner Miller stated she understands that, but we talked about allowing people to send their checks to different banks in the new system.

Ms. Murray stated the system will allow that, but once it's there, the employee will have to tell the bank what to do with the money.

Ms. Noren stated we haven't finalized the number of splits that we are going to allow. She stated there is no reason why an employee can't set up an automatic payment through their bank to do it, and she's not sure why we should be paying to write all this programming, particularly if an employee's check comes up short or they get a garnishment. When those types of things come in it blows our system, so this is why she doesn't want to get into handling the bill paying process of individual employees.

Commissioner Miller stated she understands, but she was told that when we have the new system we will be able to split our check.

Ms. Murray stated we will do that.

Commissioner Miller asked if the credit union will have to pay the vendor's fees.

Ms. Noren stated they will not. She stated anybody in place on June 30, 2009 will be grandfathered in and will not be covered by this policy.

Commissioner Miller asked if this has gone to the Personnel Action Committee (PAC).

Ms. Noren stated it is going this afternoon.

Commissioner Miller stated she just wanted to make sure we don't circumvent that process.

Ms. Noren stated if we don't have this policy it will just be up to her and Ms. Murray. This will kind of put the onus back on the vendor and the employee to do the paperwork and cover the County's costs.

Commissioner Elkin asked if a gym membership or wellness program would fall under cafeteria.

Ms. Noren stated she doesn't know whether it will or not. She stated she will cover that in the next item; this has to do with the payroll side of it.

Commissioner Elkin stated we will hold this for a second reading on Tuesday then.

Commissioner Miller stated we will do it on Tuesday after it comes with a PAC recommendation.

Ms. Noren stated she is giving a presentation to PAC; she is not planning on getting a recommendation. She stated if we don't want to adopt this policy, then she and Ms. Murray will just adopt it internally.

Commissioner Miller stated she still wants a policy that everybody buys into so they understand it and accept it.

Ms. Noren stated the internal processing of payroll is not a PAC item, but she wanted to give them a presentation.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

9. Cafeteria Plan Amendments

Ms. Noren stated currently our cafeteria plan is limited to dependent health premiums, dependent care assistance (child care payments to a child care provider), the flexible medical benefits plan, and our group health insurance policy. She stated she has amended the document to cover anything that would be covered under the IRS Section 125 regulations, and is a vendor that has been approved under our voluntary payroll deduction policy. So the vendor has to come in and provide proof that it is allowable under Section 125 of the IRS code. She stated she put in a provision that they indemnify us since we are the ones making the decision on whether the IRS covers it or not. If they make that claim, they will indemnify us against any cost that may arise.

Commissioner Elkin stated the burden is on the vendor.

Ms. Noren stated that is correct.

Commissioner Miller asked if CJ Dykhouse, County Counselor, has looked at any of this.

Ms. Noren stated she spoke to him about it, but she has not sent it over to him yet. She stated the language she incorporated into our document came straight from the State's policy.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

Public Works

Derin Campbell, Public Works, was present on behalf of these items.

10. Revenue Sharing – City of Sturgeon – Reallocation of 2009 funds (first reading)

Mr. Campbell stated this is a request from the City of Sturgeon to reallocate funds from revenue sharing. They were planning on using it to chip and seal, but they have changed their plans since they weren't able to piggyback on a bid from the City of Moberly and are planning on building some concrete box culverts instead.

Commissioner Elkin asked if they are in a hurry on this.

Mr. Campbell stated he doesn't see why it couldn't wait for a second reading on Tuesday.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

11. Budget Revision for Purchase of Plotter (first and second reading)

Mr. Campbell stated our large plotter is no longer working. We did some research on the cost of repair and what it is worth. It's currently valued at about \$1,500, and the absolute minimum estimated cost was over \$550. During a discussion with Jason Warzinik, he stated that they had planned on budgeting in 2009 to replace it anyway, but due to tight budget constraints it was pushed back to 2010.

Commissioner Miller asked Mr. Campbell if he knows what he was planning on buying furniture-wise.

Mr. Campbell stated the money was budgeted for cubicles for additional employees.

Commissioner Miller stated we have some cubicles available that are in surplus right now.

Mr. Campbell stated the cubicles have already been purchased.

Commissioner Miller asked if this is just the money we had left.

Mr. Campbell stated in order to avoid a price increase, we sent a letter of intent to Inside the Lines on December 30, 2008, telling them that we would like to purchase the cubicles, and then the Purchase Order was actually released in January 2009 after the budget was adopted. He stated the Auditor told him the funds should actually come out of the 2008 budget, so the money budgeted for it in the 2009 budget was not needed. He stated we saved about \$2,500 by giving them our letter of intent to purchase.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for the purchase of a plotter:

Department	Account	Department Name	Account Name	Decrease	Increase
2045	91100	Public Works-D&C	Furniture & Fixtures	\$8,150.00	
2045	92301	Public Works-D&C	Repl. Computer Hardware		\$8,150.00

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 283-2009**

12. Consultant Services Agreement – Marshall Engineering and Surveying, Inc. (first read on 6/23/09)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the Consultant Services Agreement with Marshall Engineering & Surveying, Inc. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 284-2009**

County Counselor

13. Agreement for Outside Counsel Services

Commissioner Elkin stated this is an agreement with Rogers, Ehrhardt & Weber, LLC for services on the ongoing Cronan case.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

Public Administrator

14. Proposed Changes in FTE Allocation (first and second reading)

Commissioner Elkin stated this is a request from the Public Administrator to adjust some positions in her office in order to run things more efficiently.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby adopt the following proposed changes to the FTE allocation for the Public Administrator's Office:

Increase the Office Specialist Position (#618-1200) from part-time (1040 hours) to full time (2080 hours), effective immediately.

Decrease the Account Specialist Position (#256-1206) from full-time (2080 hours) to part-time (1300 hours or 25 hours), effective immediately.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 285-2009**

Commissioner Miller stated the Public Administrator also requested approval to hire a temporary employee until the vacancy is filled.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Public administrator to hire a temporary staff member utilizing the personnel funds saved through this vacancy. The position is authorized until the position is filled.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 286-2009**

Child Support Services

Barbara Morris, Child Support Services, was present on behalf of these items.

15. Cooperative Agreement for Child Support (first reading)

Ms. Morris stated there are very few changes in this agreement from previous years.

Commissioner Miller stated they are covering everything they need to cover to keep us solvent.

Ms. Morris stated this agreement lays out what we do, not how we pay for what we do.

Commissioner Elkin stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

16. Cost Allocation Plan (first read on 6/23/09)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the Presiding Commissioner to sign the Cost Allocation Plan for 2008.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 287-2009**

Miscellaneous

17. Authorize Use of Courtyard Square

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the use of the Courtyard Square on August 29, 2009, from 4:00 p.m. through 11:00 p.m. for Urban Empowerment Ministries.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 288-2009**

18. Commissioner Reports

Commissioner Elkin reported on the following:

Bluffs: Commissioner Elkin stated the Bluffs met yesterday and most of the meeting was about the Alzheimer’s Demonstration Building. We have gotten a feasibility study and cost estimates and the board voted unanimously to put that project on hold because they don’t believe it would generate enough revenue to pay for the building. He stated we have put it on hold for six months, and we may go back and look at maybe scaling down some things and taking another look at some things, but for right now it is on hold. We did get an \$800,000 technology earmark for the building, and it is good until 2011 or 2012. We are going to see if there is anything we can do to not lose that. He stated the Bluffs are doing well financially, but they don’t want to overextend themselves.

Commissioner Miller stated she thinks it is a smart time to put it on hold based on the discussion of health care reform. It’s probably best to find out where that shakes out before you do anything.

19. Public Comment

There was no public comment.

The meeting adjourned at 2:28 p.m.

Attest:

Kenneth M. Pearson
Presiding Commissioner

Wendy S. Noren

Karen M. Miller

Clerk of the County Commission

District I Commissioner

Skip Elkin
District II Commissioner